IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.01.2007

Coram

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice N.PAUL VASANTHAKUMAR

Writ Petition No.23626 of 2004
and WPMP.No.28612 of 2004

1. M.Subramani
2. C.Pushpalatha
3. R.Veerasamy
4. K.Rajendran
5. R.Srinivasan
6. K.Selvam
7. K.Bavani
8. P.Manickam
9. T.Rajendran
10. M.Vasantha
11. K.Vedakkal
12. S.Annamalai
13. E.Nehru .. Petitioners

Vs.

1. The Registrar of
   Co-operative Societies,
   Chennai-600 020.

2. The District Central
   Co-operative Bank Ltd.,
   Salem, rep.by its
   Joint Registrar/Managing Director,
   Cherry Road, Salem-1. .. Respondents

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Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus to direct the 2nd respondent herein to issue posting orders and permit the petitioners to join duty as Assistants, i.e.the posts for which they have been selected by the 2nd respondent pursuant to the selection made on 22.03.2001 as per G.O.Ms.No.57, Co-operation, Food and Consumer Protection Department dated 21.02.2001, by treating the petitioners herein on par with the other similarly placed persons who were permitted to join duty in the 2nd respondent Bank as per his

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proceedings in Na.Ka.No.2395/92.Ni dated 01.04.2004.

For Petitioners : Mr.R.Thamarai Selvan

For Respondents : Mr.K.Elango, Spl.G.P., for R1
Mr.M.R.Raghavan for R2

ORDER

(Order of the Court was delivered by P.SATHASIVAM, J.)

The petitioners have approached this Court to issue a Writ of Mandamus directing the second respondent, viz., the Joint Registrar / Managing Director, The District Central Co-operative Bank Limited, Salem, Cherry Road, Salem-1, to appoint the petitioners in the post of Assistants in his office.

2. Heard the learned counsel appearing for the petitioners as well as the respondents.

3. There cannot be any such mandamus as claimed in the writ petition. Learned counsel appearing for the petitioners, by drawing our attention to the proceedings of the Salem Central Co-operative Bank in Na.Ka.No.2395/92.Ni. dated 01.04.2004, has submitted that the writ petitioners are similar to the persons appointed in the said proceedings and hence, similar direction may be issued to the second respondent for appropriate orders. Here again, we are unable to accept the said contention.

4. In the course of hearing, the learned counsel appearing for the Bank submitted that the Bank has initiated steps for recruiting persons for filling up the vacancies and if the petitioners are eligible in accordance with the Government order, viz., G.O.Ms.No.249 (Co-operation, Food and Consumer Protection (CC1) Department), dated 31.10.2006, they can apply and the same would be considered in accordance with law.

5. In such circumstances, if the petitioners are eligible by virtue of any of the Government orders including G.O.Ms.No.249 (Co-operation, Food and Consumer Protection (CC1) Department), dated 31.10.2006, they are free to apply and their claim shall be considered by the Bank, if they are otherwise eligible.

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6. With the above observations, the writ petition is disposed of. No costs. Consequently, connected W.P.M.P.is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1. The Registrar of
   Co-operative Societies,
   Chennai-600 010.

2. The Joint Registrar/
   Managing Director,
   The District Central
   Co-operative Bank Ltd.,
   Salem,
   Cherry Road, Salem-1.

+1cc to Mr.R.Thamarai Selvan, Advocate Sr 2748

+1cc to Mr.M.R.Raghavan, Advocate Sr 2555

MRD (CO)
km/25.1.

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